

7. Earnings Quality Analytics Alert: Biovail Corp.	9/16/2003
8. InterMune, Inc. Research Report	9/26/2003
9. Earnings Quality Analytics Bulletin: (Biovail Corp.)	10/7/2003
10. Earnings Quality Analytics Bulletin: (Biovail Corp.)	10/30/2003
11. Odyssey Healthcare, Inc. Research Report	10/17/2003
12. Odyssey Healthcare, Inc. Research Report	10/30/2003
13. Earnings Quality Analytics Bulletin: (Biovail)	11/21/2003
14. Overstock.com Research Report	12/5/2003
15. Celgene Corp. Research Report	12/15/2003
16. Baxter International, Inc. Research Report	12/18/2003
17. Celgene Corp. Research Report	12/19/2003
18. AstraZeneca PLC Research Report	1/7/2004
19. Biovail Corp. Research Report	1/23/2004
20. InterMune, Inc. Research Report	2/19/2004
21. Earnings Quality Analytics: Watch List (BioLase, Biosite)	2/20/2004
22. Earnings Quality Analytics Bulletin: Biovail Corp.	3/3/2004
23. Earnings Quality Analytics: Biovail Corp.	3/5/2004
24. Overstock.com Research Report	3/18/2004
25. BioLase Technology, Inc. Research Report	3/19/2004
26. Biosite Inc. Research Report	3/26/2004
27. Odyssey Healthcare, Inc. Research Report	4/20/2004
28. Earnings Quality Analytics: Watch List (Cardinal Health, Krispy Kreme)	5/14/2004
29. BioLase Technology, Inc. Research Report	5/20/2004
30. Krispy Kreme Doughnuts, Inc. Research Report	5/21/2004
31. King Pharmaceuticals, Inc. Research Report	5/28/2004
32. Take-Two Interactive Software Research Report	6/10/2004
33. The Shaw Group Research Report	6/16/2004
34. Earnings Quality Analytics Bulletin: Biovail Corp.	6/28/2004
35. Earnings Quality Analytics Alert: Biovail Corp.	6/30/2004
36. Earnings Quality Analytics: Greatest Concerns List (Overstock, R. Donnelly & Sons, Cubic Corp., InterMune, Krispy Kreme, TakeTwo Interactive)	7/1/2004
37. R.R. Donnelly & Sons Research Report	7/13/2004
38. Novastar Financial, Inc. Research Report	7/14/2004
39. Cubic Corp. Research Report	7/16/2004
40. The Shaw Group Research Report	7/16/2004
41. Swift Transportation Research Report	7/16/2004
42. Novastar Financial Inc. Research Report	7/27/2004
43. Earnings Quality Analytics Alert: (Biovail)	8/4/2004
44. Earnings Quality Analytics: Greatest Concerns List (BioLase, Cubic, InterMune, Krispy Kreme, Overstock, R.R. Donnelly & Sons, TakeTwo Interactive)	8/11/2004
45. BioLase Technology, Inc. Research Report	8/16/2004
46. Earnings Quality Analytics Alert (Overstock.com)	8/24/2004
47. Novastar Financial, Inc. Research Report	8/25/2004
48. Earnings Quality Analytics Alert (Overstock.com)	8/26/2004
49. Earnings Quality Analytics: Greatest Concerns List (Cubic, InterMune, Krispy Kreme, Overstock, R.R. Donnelly & Sons, TakeTwo Interactive)	9/9/2004
50. Krispy Kreme Doughnuts, Inc. Research Report	9/14/2004
51. Netflix, Inc. Research Report	9/21/2004
52. Earnings Quality Analytics: Greatest Concerns List (Cardinal Health, Cubic, InterMune, Krispy Kreme, Overstock, R.R. Donnelly & Sons, TakeTwo Interactive)	9/24/2004
53. Novastar Financial Inc. Research Report	9/24/2004
54. Avon Products, Inc. Research Report	10/6/2004
55. Earnings Quality Analytics: Greatest Concerns List (Cardinal Health, Cubic, InterMune, Krispy Kreme, Overstock, R.R. Donnelly & Sons, TakeTwo Interactive)	10/8/2004
56. King Pharmaceuticals, Inc. Research Report	10/29/2004
57. Overstock.com Research Report	11/3/2004
58. Earnings Quality Analytics: Greatest Concerns List (Cardinal Health, Cubic, InterMune, Krispy Kreme, R.R. Donnelly & Sons, TakeTwo Interactive)	11/8/2004
59. Gradient Research Notes (Overstock.com)	1/24/2005
60. Overstock.com Research Report	2/4/2005

61. Gradient Greatest Concerns List (Overstock.com)	2/15/2005
62. Gradient Greatest Concerns List (Overstock.com)	2/23/2005
63. Gradient Greatest Concerns List (Overstock.com)	2/28/2005
64. Gradient Greatest Concerns List (Overstock.com)	3/7/2005
65. Gradient Greatest Concerns List (Overstock.com)	3/14/2005
66. Gradient Greatest Concerns List (Overstock.com)	4/11/2005
67. Gradient Greatest Concerns List (Overstock.com)	4/19/2005
68. Gradient Greatest Concerns List (Overstock.com)	4/25/2005
69. Gradient Greatest Concerns List (Overstock.com)	5/2/2005
70. Gradient Greatest Concerns List (Overstock.com)	5/4/2005
71. Gradient Greatest Concerns List (Overstock.com)	5/9/2005
72. Earnings Quality Analytics: Watch List (Biovail Corp.)	5/13/2005
73. Gradient Greatest Concerns List (Overstock.com)	5/16/2005
74. Gradient Greatest Concerns List (Overstock.com)	5/17/2005
75. Gradient Greatest Concerns List (Overstock.com)	5/23/2005
76. Gradient Greatest Concerns List (Overstock.com)	6/1/2005
77. Gradient Greatest Concerns List (Overstock.com)	6/6/2005
78. Gradient Greatest Concerns List (Overstock.com)	6/13/2005
79. Gradient Greatest Concerns List (Overstock.com)	6/20/2005
80. Gradient Greatest Concerns List (Overstock.com)	6/27/2005
81. Gradient Greatest Concerns List (Overstock.com)	7/13/2005
82. Gradient Greatest Concerns List (Overstock.com)	7/25/2005
83. Gradient Greatest Concerns List (Overstock.com)	8/19/2005
84. Gradient Greatest Concerns List (Overstock.com)	8/29/2005

TABLE B
CAMELBACK RESEARCH ALLIANCE CLIENTS

COMPANY	ADDRESS	CITY/STATE
1. 3V Capital	300 Washington Avenue, Suite 615	Minneapolis, MN
2. Adage Capital	200 Clarendon Street, 52 nd Fl.	Boston, MA
3. Aesop Capital Partners	457 Pacific Avenue	San Francisco, CA
4. Alpha Equity Mgmt., LLC	19A Ensign Drive	Avon, CT
5. American Express	707 2 nd Avenue S.	Minneapolis, MN
6. Apex Capital, LLC	24 Orinda Way, #300	Orinda, CA
7. Applied Financial Research	1229 Johnson Ferry Road	Marietta, GA
8. Art Advisors, LLC	500 Park Avenue, 7 th Fl.	New York, NY
9. Atlas Capital Mgmt., LP	100 Crescent Court, #880	Dallas, TX
10. Bear Stearns & Co., Inc.	383 Madison Avenue	New York, NY
11. Bessent Capital, LLC	900 Third Avenue, 29 th Fl.	New York, NY
12. Black Mesa Capital	125 Lincoln Avenue, Suite 200	Santa Fe, NM
13. Canyon Capital Advisors, LLC	9965 Wilshire Boulevard, #200	Beverly Hills, CA
14. Cargill Inc.	12700 Whitewater Drive	Minnetonka, MN
15. Clovis Capital Mgmt., LP	1270 Avenue of the Americas, 27 th Fl.	New York, NY
16. Colonial Fund	1270 Avenue of the Americas, 12 th Fl.	New York, NY
17. Columbia Partners Investment	1775 Pennsylvania Avenue, NW, 10 th Fl.	Washington, DC
18. Criterion Capital Mgmt., LLC	435 Pacific Avenue, 4 th Fl.	San Francisco, CA
19. Crosslink Capital, Inc.	Two Embarcadero Ctr., #2200	San Francisco, CA
20. DMG Advisors, LLC/North Sound Capital	One Sound Shore Drive, #202	Greenwich, CT
21. DMG Advisors, LLC/SDS Capital	53 Forest Avenue, Suite 203	Old Greenwich, CT
22. Eubel Brady Suttman Asset Mgmt.	7777 Washington Village Dr., #210	Dayton, OH
23. Fiduciary Asset Mgmt., LLC	8112 Maryland Avenue, Suite 400	St. Louis, MO
24. Fifth Third Bank Investment Advisors	38 Fountain Sq. Plaza, 14 th Fl.	Cincinnati, OH
25. Freestone Capital Mgmt.	1191 2 nd Avenue, #2100	Seattle, WA
26. Frontpoint Partners - Ivory Capital Group	100 Wilshire Blvd., #1830	Santa Monica, CA
27. Gabelli Asset Mgmt.	One Corporate Center	Rye, NY
28. George Weiss & Associates	320 Park Avenue, 20 th Fl.	New York, NY
29. Glenhill Capital/Krevlin Advisors	650 Madison Avenue, 26 th Fl.	New York, NY
30. Globalflex Capital, LP	4365 Executive Drive, #720	San Diego, CA
31. GMT Capital Corp.	2100 Riveredge Parkway, #840	Atlanta, GA

32. GRT Capital Partners, LLC	Four Liberty Square, 3 rd Fl.	Boston, MA
33. Hottinger Capital Corp.	1270 Avenue of the Americas, Suite 400	New York, NY
34. Jemco Investment Mgmt.	990 Third Avenue	New York, NY
35. John A. Levin & Co.	1 Rockefeller Plaza	New York, NY
36. Kuhn Asset Mgmt.	107 North Broad Street, Suite 107	Doylestown, PA
37. Kynikos Associates, Ltd.	20 W. 55 th Street, 8 th Fl.	New York, NY
38. Lee Munder Investments, Ltd.	200 Clarendon Street, 28 th Fl.	Boston, MA
39. Libra Advisors, LLC	909 Third Avenue, 29 th Fl.	New York, NY
40. Loeb Partners Mgmt., Inc./Loeb Arbitrage Mgmt.	61 Broadway, 24 th Fl.	New York, NY
41. Loomis Sayles & Co., LP	One Financial Center, 36 th Fl.	Boston, MA
42. Lotsoff Capital Mgmt.	20 North Clark Street	Chicago, IL
43. Marketocracy Capital Mgmt.	P.O. Box BO	Los Altos, CA
44. Mellon HBV Capital Mgmt.	200 Park Avenue	New York, NY
45. Micro Capital	410 Jessie Street, Suite 1002	San Francisco, CA
46. Miramar Asset Mgmt.	One Sansome Street, #3134	San Francisco, CA
47. Normandy Asset Mgmt.	150 East 52 nd Street	New York, NY
48. Northrup Capital	3020 McFarlin Boulevard	Dallas, TX
49. Oppenheimer Funds, Inc.	498 7 th Avenue	New York, NY
50. OZ Management, LLC	9 West 57 th Street, 39 th Fl.	New York, NY
51. Parnassus Investments	One Market Plaza, Steuart Tower #1600	San Francisco, CA
52. Pequot Capital Mgmt.	153 East 53 rd Street, 35 th Fl.	New York, NY
53. Phoenix Investment Partners	56 Prospect Street, 2 nd Fl.	Hartford, CT
54. Pinnacle Investment Advisors	14614 N. Kierland Blvd., Suite S-260	Scottsdale, AZ
55. Polygon Investment Partners	10 Duke of York Square, Kings Rd.	London, England
56. Porter Felleman	666 Fifth Avenue, 34 th Fl.	New York, NY
57. Prediction Co.	525 Camino De Los Marquez, Suite 6	Santa Fe, NM
58. Ramsey Quantitative Systems	108 S. Madison Avenue	Louisville, KY
59. Redsky Partners	800 Nicollet Mall, 25 th Fl.	Minneapolis, MN
60. Rigel Capital Mgmt.	601 Union Street, 3930 Two Union Square Bldg.	Seattle, WA
61. Rocker Mgmt., LCC.	374 Millburn Avenue, #205B	Millburn, NJ
62. Royal Capital Mgmt.	575 Lexington Avenue	New York, NY
63. RRH Capital Mgmt.	331 Park Avenue South, #417	New York, NY
64. RS Investment Mgmt., LP	388 Market Street, #1700	San Francisco, CA
65. SAC Capital-HealthCo Partners	540 Madison Avenue, 9 th Fl.	New York, NY
66. SciVest Capital Mgmt.	1 First Canadian Place, 100 King Street West	Toronto, Canada
67. Skye Investment Advisors, LLC	2825 El Camino Real	Redwood City, CA
68. Soros Asset Mgmt.	888 Seventh Avenue, 33 rd Fl.	New York, NY
69. Stone Capital	207 Brookshire Lane	Beckley, WV
70. SuttonBrook Capital Mgmt.	654 Madison Avenue, #1009	New York, NY
71. Talon Asset Mgmt.	One North Franklin Street, Suite 900	Chicago, IL
72. Tapke Asset Mgmt.	2734 Chancellor Drive, Suite 108	Crestview Hills, KY
73. Thrivent Investment Managers	222 West College Avenue	Appleton, WI
74. Tiedemann Investment Group	535 Madison Avenue	New York, NY
75. Touchstone Investment Managers, LLC	920 S.W. Sixth Street, #261	Portland, OR
76. Trafeler & Co.	900 Third Avenue, 5 th Fl.	New York, NY
77. Trenton Capital Mgmt.	5956 Sherry Lane, #1810	Dallas, TX
78. Tudor Investment Corp.	1275 King Street	Greenwich, CT
79. Veredus Asset Mgmt.	6060 Dutchmans Lane, #320	Louisville, KY
80. Water Street Capital	225 Water Street, #1987	Jacksonville, FL
81. Wexford Capital, LLC	411 West Putnam Avenue	Greenwich, CT
82. Ziff Brothers Investments, LLC	153 East 53 rd Street, 43 rd Fl.	New York, NY

158. The Camelback Defendants also sent the following eight "hatchet jobs," set forth in Table C, by electronic mail and U.S. mail to no fewer than 812 potential clients, some of whom were targeted because the Camelback Defendants knew they were the target companies' largest shareholders.

TABLE C CAMELBACK REPORTS SENT TO CONTACTS			
COMPANY REPORT	DATE SENT	KNOWN RECIPIENTS	INCLUDING INDIVIDUAL RECIPIENTS AT THE FOLLOWING COMPANIES
Biovail Corp.	6/10/2003	1	Timothy McCarthy at SAC Healthco
Baxter International	9/24/2003	131	J&W Seligman & Co. Mercantile Safe Deposit & Trust MacKay Shields MFS Investment Mgmt. Merrill Lynch Investment Mgrs. Palisade Capital Mgmt. Goldman Sachs Asset Mgmt. John Hancock Advisors
IMPATH, Inc.	07/30/2003 (2:00 p.m.)	326	Needham Investment Lazard Asset Mgmt. Pitcairn Trust Logan Capital Mgmt. J&W Seligman & Co. Marco Investmt. Mgmt. Palisade Capital Mgmt. PNC Advisors Mercantile Safe Deposit & Trust MacKay Shields MFS Investment Mgmt. Markston Invesmt. Mgmt. CS McKee & Co. Putnam Investment Mgmt. Punk Ziegel & Co. Johnston Asset Mgmt. Co. John Hancock Advisors Merrill Lynch
IMPATH, Inc.	07/30/2003 (12:35 p.m.)	27	Goldman Sachs Asset Mgmt. Ohio State Teachers Retirement Pequot Capital Mgmt.

InterMune, Inc.	9/30/2003 (4:43 p.m.)	31	Merrill Lynch Investment Mgrs. Orbimed
InterMune, Inc.	9/30/2003 (4:40 p.m.)	82	J&W Seligman & Co. Goldman Sachs Asset Mgmt. John Hancock Advisors
Take-Two Inter.	8/5/2003	156	Larchmont Capital Mgmt. JP Morgan Asset Mgmt. Independence Investment MFS Investment Mgmt. PAR Capital Mgmt. Grantham Mayo Von Otterloo JL Kaplan Associates Morgan Stanley Investment Mgmt. MacKay Shields Merrill Lynch Investment Mgrs. Kings Point Partners Goldman Sachs
WebMD Corp.	9/5/2003	59	PNC Advisors MFS Investment Mgmt. Markston Investment Mgmt. Goldman Sachs Asset Mgmt. John Hancock Advisors

159. Maris, or Banc of America Securities employees acting at his direction, disseminated approximately 41 reports set forth in Table D, to clients by electronic mail. No fewer than 14 of Maris's clients are confirmed to have received reports from Maris, as set forth in Table E. Each of these clients were sent each of Maris's other reports by electronic mail, constituting approximately 574 separate fraudulent communications.

TABLE D MARIS BAS REPORTS	
BAS Report/Bulletin	Date
1. Biovail Corporation: Initiating Coverage with Sell Rating- Big Gap to GAAP	10/8/2003
2. Biovail Corporation: Glaxo Confirms Wellbutrin - S Active Development	10/9/2003
3. Biovail Corporation: Big Gap to GAAP	10/10/2003
4. Specialty Pharma Weekly Checkup: Gearing Up for Earnings	10/10/2003
5. Specialty Pharma Daily Checkup	10/10/2003

6.	Biovail Corporation: Labopharm's European Phase III Data for Tramadol 1x Day	10/15/2003
7.	Specialty Pharma Daily Checkup	10/16/2003
8.	Specialty Pharma Daily Checkup	10/23/2003
9.	Specialty Pharma Daily Checkup	10/28/2003
10.	Specialty Pharma Daily Checkup	10/29/2003
11.	Biovail Corporation: Biovail Misses 3Q and Dramatically Lowers 2003 and 2004 Guidance - Reiterate Sell Rating	10/31/2003
12.	Specialty Pharma Weekly Checkup: For Some, A Scary Earnings Week	10/31/2003
13.	Specialty Pharma: Weekly Prescriptions Trends	11/3/2003
14.	Biovail Corporation: New Disclosure Regarding CEO's Stock Pledged Against Personal Loan	11/10/2003
15.	Biovail Corporation: SEC Launches Informal Investigation	11/20/2003
16.	Specialty Pharma Weekly Checkup: Slow Start to an Exciting Week	11/21/2003
17.	Specialty Pharma Daily Checkup	11/21/2003
18.	Specialty Pharma Weekly Checkup: Short, But Busy Week	11/28/2003
19.	Specialty Pharma Monthly Checkup - December 2003	12/2003
20.	Biovail Corporation: New Disclosures in Quarterly Filing	12/1/2003
21.	Biovail Corporation: Glaxo Sheds Some Light on Next - Generation Wellbutrin	12/3/2003
22.	Specialty Pharma Daily Checkup	12/3/2003
23.	Specialty Pharma Weekly Checkup: Trading In-Line	12/5/2003
24.	Specialty Pharma Daily Checkup	12/11/2003
25.	Specialty Pharma Weekly Checkup: Volatile Week Ends Flat	12/12/2003
26.	Specialty Pharma Weekly Checkup: Strong Outperformance	1/23/2004
27.	Biovail Corporation: CEO Sells More Stock	1/26/2004
28.	Special Pharma Daily Checkup: Daily Performance	1/27/2004
29.	Specialty Pharma Daily Checkup	2/23/2004
30.	Specialty Pharma Daily Checkup	2/26/2004
31.	Specialty Pharma Daily Checkup	3/1/2004
32.	Specialty Pharma Daily Checkup	3/2/2004
33.	Specialty Pharma Daily Checkup	3/3/2004
34.	Specialty Pharma Daily Checkup	3/4/2004
35.	Biovail Corporation: Bad Becomes Worse -- Another Biovail Quarter	3/4/2004
36.	Specialty Pharma Daily Checkup	3/5/2004
37.	Specialty Pharma Weekly Checkup: Earnings Season Comes to a Close	3/5/2004
38.	Biovail Corporation: Biovail Conducting Full Internal Review of Insider Trading	3/5/2004
39.	Biovail Corporation: Possible Debt Rating Downgrade	3/8/2004
40.	Specialty Pharma Daily Checkup	3/9/2004
41.	Specialty Pharma Daily Checkup	3/11/2004

TABLE E
MARIS'S KNOWN CLIENTS OR CONTACTS

CLIENT	COMPANY
1. Jeffrey Bianchi	AeltUs
2. Thomas Tirney	American Century Investments
3. Jeff Sohn	CSFB New York
4. Wendy Nichols	CSFB Canada
5. Alex Vallecillo	National City Corp.
6. Kurt Von Emster	MPM Capital
7. Tim McCandless	Symmetry Capital
8. Duncan Stewart	Tera Capital
9. Barney Rosen	Satoha Management
10. Andy Georgiades	Dow Jones News
11. Karen Hehenberger	Brummer & Partners
12. Sang Lee	Claiborne Capital
13. Francesca Allen	AmSouth Asset Management
14. Clive Correia	Columbus Circle Investors

160. The S.A.C. Defendants and Maris and his staff spoke on the phone and used electronic mail regularly to discuss the activities of the Enterprise. The total number of phone calls and e-mails and the identities of all Enterprise members is not yet known but the following Enterprise members engaged in the following 26 phone calls and e-mails, as set forth in Table F, each constituting a separate wire communication in furtherance of the fraudulent scheme:

TABLE F
MARIS COMMUNICATIONS

Sender/Caller	Recipient	Date	Subject	Method
Tim McCarthy SAC Healthco	David Maris BAS	7/08/2003	Andre Uddin Research Capital Report on Biovail dated July 8, 2003	E-mail
David Maris BAS	Wendy Commins Ziff Brothers Invst.	7/11/2003	Generic Wellbutrin XL	Phone call
Tim McCarthy SAC Healthco 110	Kim-Linh Vukhac BAS	7/22/2003	FDA decision on Wellbutrin XL	Phone call
David Maris BAS	Wendy Commins Ziff Brothers Invst.	7/23/2003	Andrx plans on generic Wellbutrin XL	E-mail
Wendy Commins Ziff Brothers Invst.	David Maris BAS	7/29/2003	Teva Pharmaceutical and Biovail	E-mail
Wendy Commins Ziff Brothers Invst.	David Maris BAS	10/3/2003	Biovail truck accident	E-mail
David Maris BAS	Tim McCarthy SAC HealthCo.	10/6/2003	SAC HealthCo. short-selling Biovail	E-mail
Wendy Commins Ziff Brothers Invst.	David Maris BAS	10/8/2003	Biovail truck accident	E-mail
Tim McCarthy SAC Healthco	David Maris BAS	10/9/2003	Biovail truck accident	E-mail

Tim McCarthy SAC Healthco	David Maris BAS	10/10/2003	Smith Barney position on Biovail	Phone call
Tim McCarthy SAC Healthco	David Maris BAS	10/10/2003	Maris's Oct. 10 Biovail Report	Phone call
David Maris BAS	Duncan Stewart Tera Capital	10/14/2003	Maris's Oct. 10 Biovail Report	Phone call
John Schroer Itros Capital	David Maris BAS	10/29/2003	Maris's Biovail Reports	E-mail
Tony Fiorino Sands Point Partners	David Maris BAS	10/30/2003	Biovail	Phone call
Wendy Communs Ziff Brothers Invst.	David Maris BAS	10/31/2003	Camelback Biovail Report dated October 30, 2003	E-mail
Tim McCarthy SAC Healthco	Anne Friedrich BAS	11/5/2003	Eugene Melnyk trading activity	Phone call
Tony Fiorino Sands Point Partners	David Maris BAS	11/12/2003	Milberg Weiss class action against Biovail	E-mail
Tony Fiorino Sands Point Partners	David Maris BAS	11/13/2003	Eugene Melnyk trading activity	Phone call
Jon Weiner SAC Capital	David Maris BAS	1/15/2004	Biovail stock price surge	Phone call
Joe Healey Art Cohen Tim McCarthy SAC Healthco	David Maris BAS	1/16/2004	Biovail stock price surge	Phone call
Tim McCarthy SAC Healthco	David Maris BAS	1/20/2004	Biovail stock price surge	Phone call
Tim McCarthy & Joseph Healey SAC Healthco	David Maris BAS	1/20/2004	Biovail stock price surge	Phone call
Wendy Communs Ziff Brothers Invst.	David Maris BAS	2/19/2004	Information on SEC investigation into Biovail	Phone call
Steve A. Cohen SAC Capital	Donn Vickry & J. Carr Bettis Gradient Analytics	On or about 3/1/2004	Additional "custom" reports	Phone call
David Maris BAS	Wendy Communs Ziff Brothers Invst.	3/3/2004	Biovail conference call	Phone call
Tim McCarthy SAC Healthco	David Lohman BAS	7/6/2004	Camelback Biovail Report dated June 28, 2004	E-mail

161. The Gerson Lehrman Defendants orchestrated a series of conference calls to spread disinformation about Biovail. The total number of telephone calls and identities of each participant are not yet known, but the Enterprise members participated in the following phone call, as set forth in Table G, constituting a communication by wire by an agent of the Gerson Lehrman defendants in furtherance of the fraudulent scheme:

TABLE G GERSON LEHRMAN TELEPHONE CALLS			
GL Council Agent	Enterprise Member	Date	Subject
Joseph Guzzo, M.D.	D. Sackler, Perry Capital	7/22/2003	Cardizem LA PLACE Program

162. As set forth herein, as part of their pattern of racketeering activities and in furtherance of and to assist their scheme and artifice to defraud Biovail, among others, each of the defendants knowingly, willfully, and unlawfully made misrepresentations or omissions of material fact for the purpose of harming Biovail's business and inducing Biovail shareholders and others to rapidly sell their Biovail shares and artificially depress the price of the common stock. Such misrepresentations and omissions, and the aiding and abetting such misrepresentations and omissions, constitute securities fraud in violation of N.J.S.A. 49:3-71, N.J.S.A. 2C:2-6, 15 U.S.C. §§ 78j and 78ff.

163. Defendants' activities set forth herein, including the dissemination of false and misleading reports that fail to disclose the true source and intent of their information, also constitute violations of N.J.S.A. 2C:21-7(i).

164. As part of their pattern of racketeering activities and in furtherance of and to assist their scheme and artifice to defraud Biovail, among others, the Camelback Defendants and Maris knowingly, willfully, and unlawfully engaged in commercial bribery and breach of duty to act disinterestedly in violation of N.J.S.A. 2C:21-10 by accepting and agreeing to accept certain benefits as consideration for violating or agreeing to violate their duties of fidelity to their clients, by participating in a scheme that put their clients at serious financial risk and resulted in substantial financial injury to their clients. As part of their pattern of racketeering activities and in furtherance of and to assist their scheme and artifice to defraud Biovail, among others, The S.A.C. Defendants knowingly, willfully and unlawfully engaged in commercial bribery in violation of N.J.S.A. 2C:21-10 by inducing other Enterprise members to accept and agree to accept certain benefits as consideration for violating or agreeing to violate their duties of fidelity as independent analysts for their clients.

165. From at least 2003 and continuing to the present, the defendants repeatedly engaged in illegal acts under 18 U.S.C. § 1341 (relating to mail fraud), 18 U.S.C. § 1343 (relating to wire fraud), N.J.S.A. 49:3-71, N.J.S.A. 2C:2-6, 15 U.S.C. §§ 78j and 78ff, and 17 C.F.R. § 240.10b-5 (relating to securities fraud), N.J.S.A. 2C:21-7 and 2C:2-6 (relating to deceptive business practices), and N.J.S.A. 2C:21-10 and 2C:2-6 (relating to commercial bribery), used the United States mails, as well as wire and other communications in interstate and foreign commerce in connection with these acts and thereby continually engaged in "racketeering activity" within the meaning of 18 U.S.C. § 1961(1)(B) and N.J.S.A. 2C:41-1(a)(2) and 2C:41-1(d) in the course of the described criminal schemes.

166. The repeated violations by the defendants set forth herein extended over a period of years and involved distinct and independent criminal acts. They were neither isolated nor sporadic events, but involved the regular and repeated violation of law to accomplish the defendants' desired ends in the course of continuing the fraudulent business of the Enterprise.

167. These acts were related to each other by virtue of (a) common participants; (b) common types of victims; and (c) the common purpose and common result of concerted attacks on companies through the creation and dissemination of false and misleading reports concerning their businesses and stock, resulting in vast trading profits for the Enterprise members at the expense of the target companies, their employees and shareholders.

168. These repeated and continuing violations of N.J.S.A. 2C:41-1(a) and 2C:41-1(d) were neither isolated nor sporadic events, but involve a callous and calculated series of repeated violations of law in order to conceal and promote criminal activity in the course of the continuing business of the Enterprise. These activities therefore constitute a further component of a pattern

of racketeering activity within the meaning of 18 U.S.C. § 1961(5) and N.J.S.A. 2C:41-1(a) and 2C:41-1(d).

169. Each of the Camelback Defendants, S.A.C. Defendants, Gerson Lehrman Defendants, and Maris were, or were employed by, active participants in the Enterprise and all of them knowingly and intentionally violated or aided violations of N.J.S.A. 2C:41-2(c) by directly or indirectly conducting or participating in the conduct of the affairs of the Enterprise through a pattern of racketeering activity.

170. By the conduct, acts, and omissions set forth in detail above, each of the Camelback Defendants, S.A.C. Defendants, Gerson Lehrman Defendants, and Maris also aided and abetted the other Enterprise members in violating N.J.S.A. 2C:41-2(c).

171. Each of the Camelback Defendants, S.A.C. Defendants, Gerson Lehrman Defendants, and Maris aided, abetted, counseled, induced, and procured the commission of the wrongful acts set forth above and may therefore be held liable as a principal, to the same extent as the other defendants.

172. Each of the Camelback Defendants, S.A.C. Defendants, Gerson Lehrman Defendants and Maris were not merely reckless or negligent in their conduct. Each defendant engaged in the conduct, acts and omissions described above willfully and with actual knowledge of their illegality and actual purpose to the detriment of Biovail and other companies, their respective employees and shareholders.

173. These violations of N.J.S.A. 2C:41-2(c) caused Biovail to suffer direct injury to its business and property through the billions of dollars in lost revenues, profit, enterprise value, and market capitalization that was caused by the methods and practices of the Enterprise

described herein. Biovail, therefore, is entitled to recover from the defendants the amount in which it has been damaged, to be trebled in accordance with N.J.S.A. 2C:41-4(c), together with interest and the costs of this suit, including reasonable attorneys' fees.

COUNT II

RACKETEERING (N.J.S.A. § 2C: 41-2(d)) (AGAINST ALL DEFENDANTS)

174. Biovail restates each and every allegation of paragraphs 1 through 173 as if fully set forth herein.

175. Beginning in or about January 2003 and continuing until the present, each of the S.A.C. Defendants, Camelback Defendants, Gerson Lehrman Defendants, and Maris knowingly agreed to facilitate the scheme described herein to manage, operate, conduct, and participate in the conduct of the affairs of the Enterprise and conspired to do so within the meaning of N.J.S.A. 2C:5-2 through a pattern of racketeering activity within the meaning of N.J.S.A. 2C:41-2(d).

176. Beginning in or about January 2003, each of the S.A.C. Defendants, Camelback Defendants, Gerson Lehrman Defendants, and Maris, being persons intimately involved in transactions carried on by and the affairs of the Enterprise -- which was engaged in, and the activities of which affected, trade and commerce -- unlawfully and willfully combined, conspired, confederated, and agreed with each other to violate N.J.S.A. 2C:41-2(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the Enterprise, through a pattern of racketeering activity, all in violation of N.J.S.A. 2C:41-2(d).

177. Part of the conspiracy was that each of the S.A.C. Defendants, Camelback Defendants, Gerson Lehrman Defendants, and Maris personally committed or agreed to commit two or more fraudulent and illegal racketeering acts and conducted and agreed to conduct the

affairs of the Enterprise through the pattern of racketeering activity in violation of N.J.S.A. 2C:41-2(c) described above.

178. In furtherance of the conspiracy and to effect the objects thereof, the S.A.C. Defendants, Camelback Defendants, Gerson Lehrman Defendants, and Maris committed and caused to be committed a series of overt acts, including:

- engaging in blatant manipulation of the market for the publicly-traded securities of Biovail and other companies;
- commissioning false, misleading, and ghost-written reports concerning Biovail and other companies;
- manipulating the issuance of such reports to benefit other Enterprise members and harm others to whom members of the Enterprise owed fiduciary and other duties;
- purchasing and/or selling securities in order to profit from the manipulated timing of the issuance of the fraudulent reports;
- charging Enterprise members and others substantial fees to receive the false and misleading information and reports that were created by Enterprise members;
- issuing analyst reports that falsely purported to be "independent" but were, in fact, premeditated attacks on a number of companies, including Biovail;
- fraudulently misrepresenting that Biovail shares were overvalued due to, among others things, corporate malfeasance, aggressive accounting, and criminal bribery by Biovail;
- planting false and misleading information concerning Biovail and other companies with securities analysts;
- rebroadcasting and disseminating that false and misleading information to the media and the public; and
- orchestrating false and misleading reports to the media by doctors paid by Enterprise members.

179. These violations of N.J.S.A. 2C:41-2(d) caused Biovail to suffer direct injury to its business and property through the billions of dollars in lost revenues, profit, enterprise value, and market capitalization that was caused by the methods and practices of the Enterprise described herein. Biovail, therefore, is entitled to recover from the defendants the amount in

which it has been damaged, to be trebled in accordance with N.J.S.A. 2C:41-4(c), together with interest and the costs of this suit, including reasonable attorneys' fees.

COUNT III

COMMERCIAL DISPARAGEMENT (AGAINST ALL DEFENDANTS)

180. Biovail restates each and every allegation of paragraphs 1 through 179 as if fully set forth herein.

181. As set forth herein, defendants knowingly and intentionally published false and injurious statements about plaintiffs' business and property, including plaintiffs' ability to operate their business and implement their strategic plan. Defendants' false and malicious statements attacked the plaintiffs' business fundamentals, their accounting, and their current and future products in analyst reports, newspaper articles, and internet message board postings that were both false and injurious.

182. Defendants communicated these falsehoods to third-parties and understood and intended that these false statements would have the effect of preventing others from doing business with the plaintiffs and interfering with the plaintiffs' business relationships.

183. As set forth herein, these injurious attacks on Biovail's business and products included:

- The S.A.C. Defendants' commissioning of false, misleading and ghost-written reports from the Camelback Defendants, for public dissemination;
- The S.A.C. Defendants' planting of false and misleading information and collaborating with Maris to disseminate that information;
- The Camelback Defendants' issuance of false and misleading reports;
- Maris's issuance of false and misleading reports;
- The dissemination of these false reports to media outlets by the defendants;

- The Gerson Lehrman Defendants' orchestration of false and misleading reports to the media by its paid doctors; and
- The defendants' dissemination and republication of those false and misleading reports in a direct attack on Biovail's product launches.

184. Defendants' false statements directly harmed the plaintiffs' business in numerous specific ways, including, without limitation:

- Harming plaintiffs' drug sales and new product launches by causing doctors to be unwilling to prescribe plaintiffs' products, including, specifically, a substantial decline in the sales of Cardizem LA as a result of defendants' false statements concerning the PLACE program and a substantial decline in the sales of Wellbutrin XL;
- Causing Reliant to withdraw from its agreement to co-promote newly-launched products, including Cardizem LA;
- Causing the Bank Syndicate to initially refuse to renew its financing of Biovail, and forcing Biovail to seek credit on far less favorable -- and far more costly -- terms; and
- Reducing plaintiffs' market capitalization by over \$4 billion by causing existing investors to sell their shares in Biovail stock, and causing potential new investors to refrain from purchasing Biovail stock.

185. Defendants' wrongful disparagement of Biovail's business and products in these and other respects has caused many hundreds of millions of dollars in harm to Biovail.

COUNT IV

TORTIOUS INTERFERENCE WITH CONTRACTUAL RELATIONSHIPS (AGAINST ALL DEFENDANTS)

186. Plaintiffs restate each and every allegation of paragraphs 1 through 185 as if fully set forth herein.

187. As set forth herein, Biovail had contracts and agreements with third-parties, including, but not limited to: (a) Reliant; (b) the Bank Syndicate; (c) doctors taking part in the

PLACE program; (d) Biovail's bondholders; (e) Biovail employees; and (f) distributors and suppliers of Biovail's products.

188. Each of the defendants knew of Biovail's contractual relationships with these third-parties.

189. Defendants intentionally and maliciously interfered with Biovail's contracts with these third-parties by employing wrongful means that included unlawful securities market manipulation, mail and wire fraud and unlawful commercial bribery. This interference was committed intentionally and without justification or excuse and was carried out by, among other things:

- The S.A.C. Defendants' commissioning of false, misleading, and ghost-written reports from the Camelback Defendants, for public dissemination;
- The S.A.C. Defendants' planting of false and misleading information and collaborating with Maris to disseminate that information;
- The Camelback Defendants' issuance of false and misleading reports;
- Maris's issuance of false and misleading reports;
- The dissemination of these false reports to media outlets by the defendants;
- The Gerson Lehrman Defendants' orchestration of false and misleading reports to the media by its paid doctors; and
- The defendants' dissemination and republication of those false and misleading reports in a direct attack on Biovail's product launches.

190. Each of the defendants was aware of, and intended to cause, the detrimental impact on Biovail's contractual relations that was caused by the defendants' respective actions.

191. As a direct and proximate cause of defendants' intentional interference with Biovail's contractual relationships with third-parties, Biovail's contractual relationships were damaged, and Biovail suffered resulting monetary damages in an amount to be determined at trial.

COUNT V

**TORTIOUS INTERFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE
(AGAINST ALL DEFENDANTS)**

192. Biovail restates each and every allegation of paragraphs 1 through 191 as if fully set forth herein.

193. Biovail had business relationships and prospective business relationships with many third-parties, including, but not limited to: (a) Biovail shareholders and bondholders; (b) the Bank Syndicate and other actual and potential lenders; (c) Reliant; (d) other actual and potential co-promotion and marketing partners; (e) actual and potential distributors and suppliers of Biovail's products; and (f) owners and distributors of various drugs under consideration for acquisition by Biovail.

194. Each of the defendants knew of Biovail's actual and potential contractual and business relationships with these third-parties.

195. Defendants intentionally and maliciously interfered with Biovail's relationships with these third-parties by employing wrongful means that included unlawful securities market manipulation, mail and wire fraud, and unlawful commercial bribery. This interference was committed intentionally and without justification or excuse and was carried out by, among other things:

- The S.A.C. Defendants' commissioning of false, misleading, and ghost-written reports from the Camelback Defendants, for public dissemination;
- The S.A.C. Defendants' planting of false and misleading information and collaborating with Maris to disseminate that information;
- The Camelback Defendants' issuance of false and misleading reports;
- Maris's issuance of false and misleading reports;
- The dissemination of these false reports to media outlets by the defendants;

- The Gerson Lehrman Defendants' orchestration of false and misleading reports to the media by its paid doctors; and
- The defendants' dissemination and republication of those false and misleading reports in a direct attack on Biovail's product launches.

196. Biovail had a reasonable expectation that each of the aforementioned business relationships would result in Biovail obtaining the benefits of these business opportunities. However, defendants' wrongful actions directly caused Biovail to lose or alter the business relationships described herein, to Biovail's economic detriment. Each of the defendants was aware of, and intended to cause, this detrimental impact on Biovail's prospective and actual contractual relations.

197. As a direct and proximate cause of defendants' intentional interference with Biovail's actual and prospective contractual relationships with third-parties, Biovail's business relationships were damaged, and Biovail suffered resulting monetary damages in an amount to be determined at trial.

COUNT VI

COMMON LAW CIVIL CONSPIRACY (AGAINST ALL DEFENDANTS)

198. Biovail restates each and every allegation of paragraphs 1 through 197 as if fully set forth herein.

199. As set forth herein, each of the defendants, together with others, conspired with respect to Counts III through V and acted in concert to commit unlawful acts. Each of the defendants shared the same conspiratorial objective, which was to create and disseminate false and misleading statements and reports concerning the plaintiffs' business, with the goals of harming the plaintiffs' business and profiting from that harm through improper and unlawful

trading in Biovail securities. Each of the defendants understood the objectives of the scheme, accepted them, and was an active and knowing participant in the scheme.

200. The defendants' conspiratorial scheme was carried out by the commission of the wrongful and overt acts set forth above, including:

- The S.A.C. Defendants' commissioning of false, misleading, and ghost-written reports from the Camelback Defendants, for public dissemination;
- The S.A.C. Defendants' planting of false and misleading information and collaborating with Maris to disseminate that information;
- The Camelback Defendants' issuance of false and misleading reports;
- Maris's issuance of false and misleading reports;
- The dissemination of these false reports to media outlets by the defendants;
- The Gerson Lehrman Defendants' orchestration of false and misleading reports to the media by its paid doctors; and
- The defendants' dissemination and republication of those false and misleading reports in a direct attack on Biovail's product launches.

201. As a direct, proximate result of the operation and execution of the conspiracy, Biovail has been injured and suffered damages in an amount to be proven at trial.

202. At all relevant times, the defendants' conduct was willful and done with legal malice and knowledge that it was wrongful.

DEMAND FOR JURY TRIAL

203. Demand is hereby made for a trial by jury for all issues so triable.

WHEREFORE, Plaintiffs demand judgment:

(a) Awarding plaintiffs compensatory damages in amounts to be determined at trial, together with interest, attorneys' fees, costs and disbursements;

(b) Awarding plaintiffs punitive and exemplary damages in amounts to be determined at trial;

(c) Awarding plaintiffs treble damages, costs of suit, attorney's fees and costs of litigation under N.J.S.A. 2C:41-4(c), in amounts to be determined at trial;

(d) Awarding plaintiffs injunctive relief preventing defendants from engaging in continued wrongful activity, as set forth herein, in the form that the Court may determine is just and proper;

(e) Prejudgment and post-judgment interest; and

(f) Such other and further relief as is just and proper.

Dated: February 22, 2006

Respectfully submitted,

NAGEL RICE & MAZIE, LLP

By: 

Bruce H. Nagel, Esq.

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and

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& FRIEDMAN LLP


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ATTORNEYS FOR PLAINTIFFS

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:25-4, Plaintiffs designate Bruce H. Nagel, Esq. as trial counsel in this matter.

NAGEL RICE & MAZIE, LLP
Attorneys for Plaintiffs

By: 
Bruce H. Nagel, Esq.
Jay J. Rice, Esq.

Dated: February 22, 2006

JURY DEMAND

Plaintiffs hereby demand trial by jury of all issues so triable.

NAGEL RICE & MAZIE, LLP
Attorneys for Plaintiffs

By: _____

Bruce M. Nagel, Esq.
Jay L. Rice, Esq.

Dated: February 22, 2006

RULE 4:5-1 CERTIFICATION

Plaintiffs, by their attorneys, hereby certify that the matter in controversy is or may be the subject of other pending judicial proceedings as set forth below. Plaintiffs do not believe that of the parties in the other pending judicial proceedings should be joined in this action.

1. In re Biovail Corporation Securities Litigation, No. 03-8917 (RO), U.S. District Court for the Southern District of New York. The parties in the action are:

- a) Houston Municipal Employees Pension System
- b) Local 282 Welfare Trust Fund
- c) Ontario Teachers' Pension Plan Board
- d) Vera A. Hays
- e) Brian Felgoise
- f) Mark Newby
- g) David Welsh
- h) Douglas Sobel
- i) Ling Shi
- j) Wayne Bruce Abrahamson
- k) S.D. Gokhale
- l) Jim L. Pierce
- m) William A. Emery
- n) Paul H. Wojciechowski
- o) William C. Rand
- p) Biovail Corporation
- q) Eugene N. Melnyk
- r) Rolf K. Reininghaus
- s) Brian H. Crombie
- t) Kenneth G. Howling
- u) John R. Miszuk


2. Treppel v. Biovail et al., No. 03-3002 (PKL), U.S. District Court for the Southern District of New York. The parties in the action are Jerry L. Treppel, Biovail Corporation and Eugene L. Melnyk.

NAGEL RICE & MAZIE, LLP
Attorneys for Plaintiffs

By: _____

Bruce H. Nagel, Esq.
Jay L. Rice, Esq.

Dated: February 22, 2006

CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY																					
 <p>Use for initial Law Division – Civil Part pleadings (not motions) under Rule 4:5-1. Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or if attorney's signature is not affixed.</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">PAYMENT TYPE:</td> <td style="padding: 2px;">CK</td> <td style="padding: 2px;">CG</td> <td style="padding: 2px;">CA</td> </tr> <tr> <td style="padding: 2px;">CHG/CK NO.</td> <td colspan="3" style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">AMOUNT:</td> <td colspan="3" style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">OVERPAYMENT:</td> <td colspan="3" style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">BATCH NUMBER:</td> <td colspan="3" style="padding: 2px;"></td> </tr> </table>		PAYMENT TYPE:	CK	CG	CA	CHG/CK NO.				AMOUNT:				OVERPAYMENT:				BATCH NUMBER:			
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ATTORNEY/PRO SE NAME Bruce H. Nagel/Jay J. Rice		TELEPHONE NUMBER (973) 618-0400																					
FIRM NAME (if applicable) Nagel, Rice & Mazie, LLP		COUNTY OF VENUE Essex County																					
OFFICE ADDRESS 103 Eisenhower Parkway Roseland, NJ 07068		DOCKET NUMBER (When available) DOCUMENT TYPE COMPLAINT																					
NAME OF PARTY (e.g., John Doe, Plaintiff) BIOVAIL CORPORATION & BIOVAIL PHARMACEUTICALS, INC.		CAPTION BIOVAIL CORPORATION & BIOVAIL PHARMACEUTICALS, INC. V. S.A.C. CAPITAL et. al.																					
CASE TYPE NUMBER (See reverse side for listing) 508		IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.																					
RELATED CASES PENDING? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, LIST DOCKET NUMBERS In re Biovail Securities Litigation, No. 03-8917 (RO) (S.D.N.Y.) Treppel v. Biovail, No. 03-3002 (PKL) (S.D.N.Y.)																					
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY, IF KNOWN <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN																					
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.																							
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION																							
A. DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, IS THAT RELATIONSHIP <input type="checkbox"/> EMPLOYER-EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) _____ <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS																					
B. DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION: <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> FEB 22 2006 </div>																					
DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION: _____																					
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE: _____																					
ATTORNEY SIGNATURE _____																							

SIDE 2

CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under *Rule 4:5-1*

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I — 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT
- 505 OTHER INSURANCE CLAIM (INCLUDING DECLARATORY JUDGMENT ACTIONS)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (SUMMARY ACTION)

Track II — 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 602 ASSAULT AND BATTERY
- 603 AUTO NEGLIGENCE — PERSONAL INJURY
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE — PROPERTY DAMAGE
- 699 TORT — OTHER

Track III — 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV — Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Mass Tort (Track IV)

- | | |
|---|--------------|
| 240 REDUX/PHEN-FEN (formerly "DIET DRUG") | 601 ASBESTOS |
| 248 CIBA GEIGY | 619 VIOXX |
| 254 PPA | |

999 OTHER (Briefly describe nature of action) _____

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category:

☐ Verbal Threshold

☐ Putative Class Action

☐ Title 59